



U.S. Department of Justice

United States Attorney  
Southern District of New York

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

March 31, 2020

**FILED BY ECF**

The Honorable Alison J. Nathan  
United States District Judge  
Southern District of New York  
United States Courthouse  
40 Foley Square, Courtroom 1306  
New York, New York 10007

**Re: *United States v. Ali Sadr Hashemi Nejad*, 18 Cr. 224 (AJN)**

Dear Judge Nathan:

The Government writes to notify the Court that it has produced to the defense today a recording of a January 22, 2020 interview by AUSAs assigned to this case of co-defendant Bahram Karimi (the "Recording"). At the charge conference in this case, the Government noted that we had produced to the defense the notes from Karimi's January 22, 2020 interview (as well as notes from all prior interviews),<sup>1</sup> had requested the Recording from the Canadian government, had not yet received the Recording, and would produce the Recording as soon as the Government received it. (Trial Tr. at 1358-60.)

On March 30, 2020, the AUSAs assigned to this case learned for the first time that: (1) on February 4, 2020, the FBI Legal Attaché in Canada had received the Recording from the Canadian government; (2) on February 6, 2020, the Legal Attaché informed the FBI New York case agents by email that it had received the Recording; and (3) on February 12, 2020, the FBI case agents received a copy of the Recording in New York. On February 18, 2020 one of the AUSAs asked the case agents by email whether they had yet received the Recording. One of the case agents mistakenly responded that the recording was "in transit." The FBI case agents did not inform the AUSAs that they had received the recording until yesterday, March 30, 2020.

FBI New York provided the AUSAs with the recording last night. The AUSAs notified defense counsel of these facts by letter today, and are arranging to transfer the Recording (which is too large to be emailed). The Government's letter to defense counsel is attached hereto as

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<sup>1</sup> These notes were produced to the defense on February 5, 2020. Previously, on January 30, 2020, the Government publicly indicted Karimi. Count Three of the indictment charged Karimi, under Title 18, United States Code, Section 1001, with making the following false statement: "during the course of the Venezuela Project, KARIMI believed that international sanctions against Iran did not apply to Iranian companies or persons."

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Exhibit A. The notes of the January 22, 2020 interview are attached hereto as Exhibit B. The Government will arrange for a copy of the recording to be sent to the Court on a CD tomorrow.

We apologize to the Court and defense counsel for this error.

Respectfully submitted,

GEOFFREY S. BERMAN

United States Attorney

By: /s/  
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cc: Defense Counsel (by ECF)